

ASSEMBLY BILL

No. 680

Introduced by Assembly Member Liu

February 19, 2003

An act to amend Section 76300 of the Education Code, relating to public postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 680, as introduced, Liu. Community college fees.

Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. Existing law authorizes the establishment of community college districts under the administration of community college governing boards, and authorizes these districts to provide instruction to students, for a fee of \$11 per unit per semester, at community college campuses throughout the state.

This bill would require that students with bachelor's degrees pay an additional \$10 per unit per semester.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 76300 of the Education Code is
2 amended to read:

3 76300. (a) The governing board of each community college
4 district shall charge each student a fee pursuant to this section.

5 (b) (1) The fee prescribed by this section ~~shall be~~ is eleven
6 dollars (\$11) per unit per semester *for a student who does not have*

1 *a bachelor's degree, and twenty-one dollars (\$21) per unit per*
2 *semester for a student who has a bachelor's degree.*

3 (2) The chancellor shall proportionately adjust the amount of
4 the fee for term lengths based upon a quarter system and also shall
5 proportionately adjust the amount of the fee for summer sessions,
6 intersessions, and other short-term courses. In making these
7 adjustments, the chancellor may round the per unit fee and the per
8 term or per session fee to the nearest dollar.

9 (c) For the purposes of computing apportionments to
10 community college districts pursuant to Section 84750, the
11 chancellor shall subtract from the total revenue owed to each
12 district, 98 percent of the revenues received by districts from
13 charging a fee pursuant to this section.

14 (d) The chancellor shall reduce apportionments by up to 10
15 percent to any district that does not collect the fees prescribed by
16 this section.

17 (e) The fee requirement does not apply to any of the following:

18 (1) Students enrolled in the noncredit courses designated by
19 Section 84757.

20 (2) California State University or University of California
21 students enrolled in remedial classes provided by a community
22 college district on a campus of the University of California or a
23 campus of the California State University, for whom the district
24 claims an attendance apportionment pursuant to an agreement
25 between the district and the California State University or the
26 University of California.

27 (3) Students enrolled in credit contract education courses
28 pursuant to Section 78021, if the entire cost of the course,
29 including administrative costs, is paid by the public or private
30 agency, corporation, or association with which the district is
31 contracting and if these students are not included in the calculation
32 of the ~~average daily attendance~~ *full-time equivalent students*
33 *(FTES)* of that district.

34 (f) The governing board of a community college district may
35 exempt special part-time students admitted pursuant to Section
36 76001 from the fee requirement.

37 (g) (1) The fee requirements of this section shall be waived
38 for any student who, at the time of enrollment, is a recipient of
39 benefits under the ~~Aid to Families with Dependent Children~~
40 *Temporary Assistance to Needy Families* program, the

1 Supplemental Security Income/State Supplementary Program, or
2 a general assistance program or has demonstrated financial need
3 in accordance with the methodology set forth in federal law or
4 regulation for determining the expected family contribution of
5 students seeking financial aid. ~~The~~

6 (2) *The* governing board of a community college district also
7 shall waive the fee requirements of this section for any student who
8 demonstrates eligibility according to income standards established
9 by the board of governors ~~and contained in Section 58620 of Title~~
10 ~~5 of the California Code of Regulations.~~

11 (h) The fee requirements of this section shall be waived for any
12 student who, at the time of enrollment is a dependent, or surviving
13 spouse who has not remarried, of any member of the California
14 National Guard who, in the line of duty and while in the active
15 service of the state, was killed, died of a disability resulting from
16 an event that occurred while in the active service of the state, or is
17 permanently disabled as a result of an event that occurred while in
18 the active service of the state. "Active service of the state," for the
19 purposes of this subdivision, refers to a member of the California
20 National Guard activated pursuant to Section 146 of the Military
21 and Veterans Code.

22 (i) The fee requirements of this section shall be waived for any
23 student who is the surviving spouse or the child, natural or
24 adopted, of a deceased person who met all of the requirements of
25 Section 68120.

26 (j) The fee requirements of this section shall be waived for any
27 student in an undergraduate program, including a student who has
28 previously graduated from another undergraduate or graduate
29 program, who is the dependent of any individual killed in the
30 September 11, 2001, terrorist attacks on the World Trade Center
31 ~~in New York City and the Pentagon building in Washington, DC,~~
32 or the crash of United Airlines Flight 93 in southwestern
33 Pennsylvania, if ~~he or she~~ *that dependent* meets the financial need
34 requirements set forth in Section 69432.7 for the Cal Grant A
35 Program and either of the following apply:

36 (1) The dependent was a resident of California on September
37 11, 2001.

38 (2) The individual killed in the attacks was a resident of
39 California on September 11, 2001.

(k) A determination of whether a person is a resident of California on September 11, 2001, for purposes of subdivision (j) shall be based on the criteria set forth in Chapter 1 (commencing with Section 68000) of Part 41 for determining nonresident and resident tuition.

(l) (1) ~~“Dependent”~~ *“Dependent,”* for purposes of subdivision (j), is a person who, because of his or her relationship to an individual killed as a result of injuries sustained during the terrorist attacks of September 11, 2001, qualifies for compensation under the federal September 11th Victim Compensation Fund of 2001 (Title IV (commencing with Section 401) of Public Law 107-42).

(2) A dependent who is the surviving spouse of an individual killed in terrorist attacks of September 11, 2001, is entitled to the waivers provided in this section until January 1, 2013.

(3) A dependent who is the surviving child, natural or adopted, of an individual killed in the terrorist attacks of September 11, 2001, is entitled to the waivers under subdivision (j) until that person obtains the age of 30 years.

(4) A dependent of an individual killed in the terrorist attacks of September 11, 2001, who is determined to be eligible by the California Victim Compensation and Government Claims Board, is also entitled to the waivers provided in this section until January 1, 2013.

(m) (1) It is the intent of the Legislature that sufficient funds be provided to support the provision of a fee waiver for every student who demonstrates eligibility pursuant to subdivisions (g) to (j), inclusive.

(2) From funds provided in the annual Budget Act, the board of governors shall allocate to community college districts, pursuant to this subdivision, an amount equal to 2 percent of the fees waived pursuant to subdivisions (g) to (j), inclusive. From funds provided in the annual Budget Act, the board of governors shall allocate to community college districts, pursuant to this subdivision, an amount equal to ninety-one cents (\$0.91) per credit unit waived pursuant to subdivisions (g) to (j), inclusive, for determination of financial need and delivery of student financial aid services, on the basis of the number of students for whom fees are waived. Funds allocated to a community college district for determination of financial need and delivery of student financial

1 aid services shall supplement, and shall not supplant, the level of
2 funds allocated for the administration of student financial aid
3 programs during the 1992–93 fiscal year.

4 (n) The board of governors shall adopt regulations
5 implementing this section.

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